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6	Attorneys for Defendant SYLVIA SIMONSEN
7	
8	IN THE UNITED STATES DISTRICT COURT
9	FOR THE EASTERN DISTRICT OF CALIFORNIA
10 11	UNITED STATES OF AMERICA, ) Case No. 3:19-mj-007 DMC
12	Plaintiff,  STIPULATION AND [PROPOSED] ORDER TO CONTINUE PRELIMINARY HEARING V.  AND EXCLUSION OF TIME
13	)
14	SYLVIA SIMONSEN,  Date: December 11, 2019  Time: 2:00 p.m.
15	Defendant. ) Judge: Hon. Allison Claire
16	)
17	Plaintiff, United States of America, by and through Assistant United States Attorney
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19	James Conolly and Defendant Sylvia Simonsen, through her attorney Noa E. Oren, Assistant
20	Federal Defender, hereby stipulate to continue the Preliminary Hearing set for December 11,
21	2019 to January 15, 2020, at 2:00 p.m.
<b>∠</b> 1	

The parties agree that the time beginning December 11, 2019 extending through January 15, 2020, should be excluded from the calculation of time under the Speedy Trial Act. Further, the Defendant consents to an extension of the time for a Preliminary Hearing until January 15, 2020. Fed.R.Crim.P. 5.1(d). The parties submit that the ends of justice are served by the Court excluding such time, so that they may have reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). In particular,

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## Case 2:20-cr-00051-KJM Document 18 Filed 12/11/19 Page 2 of 3 1 the time is required so that the parties can conduct investigation and review discovery. Ms. 2 Simonsen consents to this continuance. 3 The parties stipulate that the interests of justice outweigh the interest of the public and the 4 defendant in a speedy trial, 18 U.S.C. § 3161(b) and (h)(7)(A), and further that this good cause 5 outweighs the public's interest in the prompt disposition of criminal cases. Fed.R.Crim.P. 5.1(d). 6 IT IS SO STIPULATED. 7 8 Dated: December 6, 2019 HEATHER E. WILLIAMS Federal Defender 9 /s/ Noa E. Oren 10 NOA E. OREN 11 Assistant Federal Defender Attorney for SYLVIA SIMONSEN 12 Dated: December 6, 2019 MCGREGOR W. SCOTT 13 United States Attorney 14 /s/ James Conolly 15 JAMES CONOLLY **Assistant United States Attorney** 16 Attorney for Plaintiff 17 18 19 20 21 22 23 24

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## ORDER

The Court has read and considered the Stipulation to Continue the Preliminary Hearing Pursuant to Rule 5.1(d) and Exclusion of Time. The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order, demonstrates good cause for an extension of time for the preliminary hearing date pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure.

Furthermore, for the reasons set forth in the parties' stipulation, the Court finds that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T4. The Court further finds that the extension of time would not adversely affect the public interest in the prompt disposition of criminal cases.

## THEREFORE, FOR GOOD CAUSE SHOWN:

- 1. The preliminary hearing is continued to January 15, 2020, at 2:00 p.m.
- 2. The time between December 11, 2019, and January 15, 2020, shall be excluded from calculation pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T4.
  - 3. Defendant shall appear at that date and time before the Magistrate Judge on duty.

IT IS SO ORDERED.

Dated: December 10, 2019

ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE